

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

ANTONIA N. OKONKWO,

*

Plaintiff,

*

v.

1:14-CV-02263-ELR

THE CALLINS LAW FIRM, LLC,

*

Defendant.

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O R D E R

This matter is before the Court for *sua sponte* review. In an Order (Doc. No. 13) dated September 26, 2014, the Court advised the Parties of its intent to convert Defendant's Motion to Dismiss (Doc. No. 8) to a summary judgment motion. Additionally, the Court directed the Parties to conduct limited discovery, file supplemental briefs, and file their Statements of Material Facts/Response to Statement of Material facts concerning the issue of whether Plaintiff is exempt from the overtime provisions of the FLSA by virtue of her compensation structure as a salaried employee making more than \$455/week. The Parties did not comply with any of the Court's directives. Most notably, Defendant has not provided the Court with its statement of material facts. Accordingly, the Court **DENIES** Defendant's Motion for Summary Judgment (Doc. No. 7) **with leave to refile**

within the next fourteen (14) days. Concerning its renewed motion, Defendant shall comply with the requirements set forth in Local Rule 56.¹ If Defendant does not file a renewed Motion for Summary Judgment on the issue of whether Plaintiff is exempt from the overtime provisions of the FLSA, the Court will issue a scheduling order to govern the remainder of this litigation.

SO ORDERED, this 25th day of June, 2015.



ELEANOR L. ROSS
UNITED STATES DISTRICT JUDGE

¹ “A movant for summary judgment shall include with the motion and brief a separate, concise, numbered statement of the material facts to which the movant contends there is no genuine issue to be tried.” LR 56.1B(1), NDGa.